



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 21-151; RM-11898; DA 21-423; FR ID 22592]

Television Broadcasting Services Eugene, Oregon

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) has before it a petition for rulemaking filed by Sinclair Eugene Licensee, LLC (Petitioner), the licensee of KVAL-TV (CBS), channel 13, Eugene, Oregon. The Petitioner requests the substitution of channel 28 for channel 13 at Eugene, Oregon in the DTV Table of Allotments.

DATES: Comments must be filed on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] and reply comments on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments, identified by MB Docket No. 21-151, by any of the following methods:

- Federal Communications Commission's Web Site: <http://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432.

In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Paul A. Cicelski, Esq., Lerman Senter, PLLC, 2001 L Street, NW, Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Andrew Manley, Media Bureau, at (202) 418-0596; or Andrew Manley, Media Bureau, at Andrew.Manley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rulemaking, in MB Docket No. 21-151; RM-11898; DA 21-423, adopted and released on April 14, 2021. The full text of this document is available for download at <https://docs.fcc.gov/public/attachments/DA-21-423A1.pdf>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

In support of its channel substitution request, the Petitioner states that the reception of VHF signals require larger antennas relative to UHF channels, that studies suggest a large variability in indoor antennas, with most receiving fairly well at UHF and the substantial majority not so well to very poor for high-VHF channels. Petitioner further states that KVAL has received numerous complaints from viewers unable to receive that Station's over-the-air signal, despite being able to receive signals from other stations. In its Amended Engineering Exhibit, the Petitioner demonstrated that while the noise limited contour of the proposed channel 28 facility does not completely encompass the licensed channel 13 contour, there are three other CBS affiliated stations that, together, overlap all areas where the channel 28 noise limited contour does not extend beyond the channel 13 noise limited contour, except in one small geographic area with no population. Accordingly, there would be no loss of CBS network service.

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Pub. L. 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Pub. L. 107-198, *see*

44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television

FEDERAL COMMUNICATIONS COMMISSION.

Thomas Horan,

Chief of Staff, Media Bureau

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73 – RADIO BROADCAST SERVICE

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, and 339.

§ 73.622 Digital television table of allotments.

2. In § 73.622 in paragraph (i), amend the Post-Transition Table of DTV Allotments under Oregon by revising the entry for Eugene to read as follows:

(i) ***

Community	Channel No.

Oregon	

Eugene	9, 17, 28, *29, 31

[FR Doc. 2021-08739 Filed: 4/26/2021 8:45 am; Publication Date: 4/27/2021]